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NOTES OF CASES.

Person Arrested Drags Officer Out of State.—The towns of Jellico, Ky., and Jellico, Tenn., are separated merely by an imaginary line. Thomas Bowlin, who was marshal of the Kentucky town, attempted to arrest Lewis Archer, who was a much larger man than himself. Archer, apparently believing that discretion lay in flight across the state line, proceeded in that direction pulling the doughty marshal along with him. After getting fifteen or twenty feet into the Tennessee territory, and as he apparently supposed to safety, he ordered the marshal away but was met by the reply that he had arrested him in Kentucky and could follow him as long as he had sight of him. About this time a brother of the marshal appeared on the scene with a pistol and killed Archer, whose widow then brought action against the marshal and the sureties on his bond. One of the defenses set up was that even if the marshal himself was responsible for the act of his brother in doing the killing, as he was out of his own state, it was a mere personal act not in the line of his official duty, and one for which the sureties could not be held liable. The Court of Appeals of Kentucky, in passing on this defense, holds that the circumstances of the case do not bring it within the general rule of lack of authority of an arresting officer to go out of his jurisdiction; that the whole affair in both states should be considered as one entire act, and that Archer "could not defeat the legality of the arrest by forcibly carrying the arresting officer out of his bailiwick. *Bowlin v. Archer*, 163 Southwestern Reporter, 477.

Constitutionality of Abatement Law.—The Minnesota law providing for the abatement of bawdy-houses withstood a vigorous attack in the case of *State ex rel. Wilcox v. Gilbert*, 147 Northwestern Reporter, 953. It was held by the Minnesota Supreme Court that "the act was not penal either in its general aspect or in its details with reference to forfeiture and sale of personal property used in maintaining the nuisance, the closing, to all purposes for one year, of premises in which the lewd business is carried on, the imposition of a money exaction against the property and persons participating in the nuisance, or otherwise; and hence it neither violates the Constitution, as denying jury trial in criminal proceedings, nor contravenes constitutional limitations as to excessive fines and unusual punishments, right to be confronted by witnesses, testifying against one's self, and bills of attainder and *ex post facto* laws." The same law was passed upon in *State ex rel. Robertson v. Lane*, 147 Northwestern Reporter, 951, where it was held that an owner of personal property covered by a contract of conditional sale executed prior to the enactment